

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

U.S. BEVERAGE, INC.)
Plaintiff,)
v.) Civil Action No. 2:06-CV-496-SRW
JOHN BUSTER WALKER, II; and)
TRIDENT MARKETING, INC.;)
Defendants.)

JOHN BUSTER WALKER, II; and)
TRIDENT MARKETING, INC.;)
Counterclaim Plaintiffs,)
v.)
U.S. BEVERAGE, INC.;)
Counterclaim Defendant,)
and)
GRADY DOWLING KITTRELL;)
THOMAS GOING CLARK, III; and)
NORMAN“Buddy” TODD;)
Third Party Defendants.)

JOINT STATUS REPORT

Plaintiff U.S. Beverage, Inc. and Defendants John Walker and Trident Marketing, Inc., hereby jointly respond to this Court's order, requesting the filing of a Joint Status Report regarding this case on or before December 15, 2006. Since the last Joint Status Report was filed by the parties, the undersigned attorneys have discussed the possibility of mediating this case. It has recently become apparent to the undersigned attorneys that the parties cannot at this point in

time reach a compromise through mediation. Therefore, Plaintiff and Defendants/ Counterclaim Plaintiffs intend to pursue their respective requests for preliminary injunctive relief. At this point, the parties have completed the depositions necessary for preliminary injunction purposes and should be finished exchanging discovery documents within three weeks. At this point, the parties request that this Court schedule a preliminary injunction hearing in this case.

DATED this the 14th day of December 2006.

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CERTIFICATE OF SERVICE

I certify that on this the 14th day of December 2006 a copy of the foregoing pleading was served upon all counsel of record through the EMCS electronic filing system and/or by placing said copy in First Class U.S. Mail with postage prepaid to the following addresses:

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